

EL769650089US

533 Rec'd PCT/PTO 13 SEP 2001

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

16230-8416

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)
09/936587

| | | |
|-------------------------------|---------------------------|-----------------------|
| INTERNATIONAL APPLICATION NO. | INTERNATIONAL FILING DATE | PRIORITY DATE CLAIMED |
| PCT/GB00/00913 | March 13, 2000 | March 13, 1999 |

TITLE OF INVENTION **BIOCOMPATIBLE ENDOPROSTHESES**

APPLICANT(S) FOR DO/EO/US

LUTHRA, Ajay Kumar; SANDHU, Shivpal Singh; SHARMA, Anoop Kurmar

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A **FIRST** preliminary amendment.
 - A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. A substitute specification.
15. A change of power of attorney and/or address letter.
16. Other items or information:

Return Postcard**International Preliminary Examination Report**

| U.S. APPLICATION NO. (37 CFR) 09/936587 | | INTERNATIONAL APPLICATION NO. | ATTORNEY'S DOCKET NUMBER | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
|---|--------------|---|--------------------------|-------------|--------------|--------------|------|--|--------------|-----------|----|-----------|-----------|--------------------|---------|---|-----------|----|---|--|--|------------|----|--------------------------------------|--|--|--|-------------|------------|-----------|--|----|---------------------------------------|--|--|----|---------------------------------|--|--|--|
| <p>17. <input checked="" type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1000.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00</p> <p>International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00</p> | | <p>CALCULATIONS PTO USE ONLY</p> <p>ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 860.00</p> <p>Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)). \$ 130.00</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 5px;">CLAIMS</th> <th style="text-align: left; padding: 5px;">NUMBER FILED</th> <th style="text-align: left; padding: 5px;">NUMBER EXTRA</th> <th style="text-align: left; padding: 5px;">RATE</th> <th style="text-align: left; padding: 5px;"> </th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Total claims</td> <td style="padding: 5px;">35 - 20 =</td> <td style="padding: 5px;">15</td> <td style="padding: 5px;">X \$18.00</td> <td style="padding: 5px;">\$ 270.00</td> </tr> <tr> <td style="padding: 5px;">Independent claims</td> <td style="padding: 5px;">1 - 3 =</td> <td style="padding: 5px;">0</td> <td style="padding: 5px;">X \$80.00</td> <td style="padding: 5px;">\$</td> </tr> <tr> <td colspan="3" style="padding: 5px;">MULTIPLE DEPENDENT CLAIM(S) (if applicable)</td> <td style="padding: 5px;">+ \$270.00</td> <td style="padding: 5px;">\$</td> </tr> <tr> <td colspan="4" style="text-align: right; padding: 5px;">TOTAL OF ABOVE CALCULATIONS =</td> <td style="padding: 5px;">\$ 1,260.00</td> </tr> </tbody> </table> <p><input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. \$ 630.00</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; padding: 5px;">SUBTOTAL =</th> <th style="text-align: left; padding: 5px;">\$ 630.00</th> </tr> </thead> <tbody> <tr> <td style="padding: 5px;">Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). +</td> <td style="padding: 5px;">\$</td> </tr> <tr> <td colspan="2" style="text-align: right; padding: 5px;">TOTAL NATIONAL FEE = \$ 630.00</td> </tr> <tr> <td style="padding: 5px;">Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +</td> <td style="padding: 5px;">\$</td> </tr> <tr> <td colspan="2" style="text-align: right; padding: 5px;">TOTAL FEES ENCLOSED = \$</td> </tr> <tr> <td colspan="2" style="text-align: right; padding: 5px; vertical-align: bottom;"> <input type="checkbox"/> Amount to be refunded: \$ <input type="checkbox"/> charged: \$</td> </tr> </tbody> </table> <p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. _____. A duplicate copy of this sheet is enclosed.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p style="text-align: right; margin-right: 100px;">  Kenneth Solomon Howell & Haferkamp, L.C. 7733 Forsyth Blvd. Suite 1400 St. Louis, MO 63105 </p> <p style="text-align: right; margin-right: 100px;"> SIGNATURE Kenneth Solomon NAME 31,427 REGISTRATION NUMBER </p> | | CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE | | Total claims | 35 - 20 = | 15 | X \$18.00 | \$ 270.00 | Independent claims | 1 - 3 = | 0 | X \$80.00 | \$ | MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$270.00 | \$ | TOTAL OF ABOVE CALCULATIONS = | | | | \$ 1,260.00 | SUBTOTAL = | \$ 630.00 | Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)). + | \$ | TOTAL NATIONAL FEE = \$ 630.00 | | Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + | \$ | TOTAL FEES ENCLOSED = \$ | | <input type="checkbox"/> Amount to be refunded: \$ <input type="checkbox"/> charged: \$ | |
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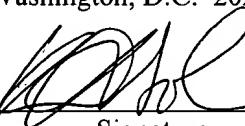
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence and the documents referred to as enclosed therein are being deposited with the United States Postal Service on September 13, 2001 in an envelope as 'Express Mail Post Office To Addressee' Mailing Label Number EL769650089US addressed to: BOX PCT, Assistant Commissioner for Patents, Washington, D.C. 20231.

Kenneth Solomon
Type or Print Name


Signature

In re application of: Luthra et al. :
U.S. National Stage Filing of: :
PCT/GB00/00913 :
Filed: September 13, 2001 :
For: Biocompatible Endoprostheses :
:

BOX PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

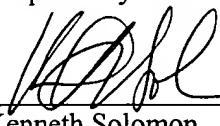
TRANSMITTAL

Enclosed please find:

1. Transmittal Letter to the United States Designated/Elected Office (DO/EO/US);
2. International Preliminary Examination Report; and
3. Preliminary Amendment.

Please file said U.S. National Stage.

Respectfully submitted,


Kenneth Solomon
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(314) 727-5188